

## **Remarks**

### Amendments to the Claims

Claim 1 is amended to recite a step of “determining whether the test compound has an effect on a symptom of the disease in an *in vivo* assay.” The specification describes this step, e.g., on page 42, lines 8-11 and on page 42, lines 25-29.

New claim 27 recites subject matter deleted from claim 1, and new claims 28-33 parallel claims 4-9.

The amendments do not add new matter.

### Rejection of Claims 1, 4, and 10 Under 35 U.S.C. § 102(b)

Independent claim 1 and dependent claims 4 and 10 are rejected as anticipated under 35 U.S.C. § 102(b) by Lanfear (US 2002/0115176). Applicants respectfully traverse the rejection.

A reference cited under 35 U.S.C. § 102 must expressly or inherently describe each element set forth in the rejected claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Independent claim 1 as amended is directed to screening for candidate therapeutic agents for treating a cardiovascular disease and recites, *inter alia*, a step of “determining whether the test compound has an effect on a symptom of the disease in an *in vivo* assay.” Lanfear does not disclose a step of determining an effect of a symptom of a cardiovascular disease in an *in vivo* assay. Lanfear therefore does not anticipate claim 1 or dependent claims 4 or 10.

Please withdraw the rejection.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

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